

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### SEGMENTED JOINT DISTRACTOR

the specification of which (check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application  
Serial No. \_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to the patentability of the invention claimed in this application, or information that is material to the examination of this application, in accordance with Title 37, Code of Federal Regulations, section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### PRIOR FOREIGN APPLICATION(S)

			<u>Priority Claim</u>	
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____

## DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

### PRIOR PROVISIONAL APPLICATIONS

\_\_\_\_\_  
(application serial number)

\_\_\_\_\_  
(Month / Day / Year filed)

\_\_\_\_\_  
(application serial number)

\_\_\_\_\_  
(Month / Day / Year filed)

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Mark Morrison, Reg. No. 33,428; Stephen J. Foss, Reg. No. 31,251, Richard W. Warner, Reg. No. 38,043, Christopher A. Eusebi, Reg. No. 44,672, and each principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (248) 641-1600.

Full name of sole or first inventor: Kevin Thomas Stone

Inventor's signature: \_\_\_\_\_

Date: \_\_\_\_\_

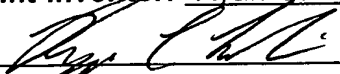
Residence: 2615 Harmony Court, Winona Lake, Indiana 46580

Citizenship: United States

Post Office Address: same as above

**DECLARATION AND POWER OF ATTORNEY**

Full name of second joint inventor: Ryan Cameron Lakin

Inventor's signature: 

Date: 4/16/2001

Residence: 235 North Gettysburg Court, Warsaw, Indiana 46582

Citizenship: United States

Post Office Address: same as above

Attorney Docket No. 5490-000187

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Unknown	)	
	)	
Examiner: Unknown	)	
	)	
Inventor(s): Kevin Thomas Stone, et al.	)	<b>ESTABLISHMENT OF</b>
	)	<b>ASSIGNEE'S RIGHT TO</b>
Serial No.	)	<b>PROSECUTE APPLICATION</b>
	)	<b>UNDER 37 C.F.R. § 3.73(b),</b>
Filed:	)	<b>AND POWER OF ATTORNEY</b>
	)	
For: <b>SEGMENTED JOINT DISTRACTOR</b>	)	
	)	
	)	
	)	

Hon. Commissioner Of Patents & Trademarks  
Washington, D. C. 20231

Sir:

Under 37 C.F.R. § 3.73(b), the undersigned hereby establishes the below-named  
Assignee's ownership in the above-identified Application:

Assignee: Biomet, Inc.  
Airport Industrial Park  
Warsaw, Indiana 46580

The documentary evidence of a chain of title from the original owner to the Assignee  
is provided in the Assignment Document(s):

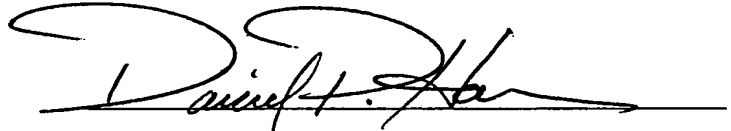
  X   filed herewith.  
       previously filed,  
Reel No.           , Frame No.           .

I hereby declare that all statements made herein of my own knowledge are true, and  
that all statements made on information and belief are believed to be true; and further that  
these statements are made with the knowledge that willful false statements, and the like so  
made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the

United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Assignee furthermore hereby appoints Mark Morrison, Reg. No. 33,428 of Biomet, Inc., and Stephen J. Foss, Reg. No. 31,251, Richard W. Warner, Reg. No. 38,043, Christopher A. Eusebi, Reg. No. 44,672, and each other principal, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, as attorney of record, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303 (telephone 248-641-1600).

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

A handwritten signature in black ink, appearing to read "Daniel P. Hann", is written over a horizontal line.

Name: Daniel P. Hann

Title: Senior Vice President and General Counsel

Date: April 16, 2001 Assignee: Biomet, Inc.